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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/475,093	12/30/1999	Matthew D. Halfant	GENSP034	3180

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BEYER WEAVER & THOMAS LLP
P.O. BOX 70250
OAKLAND, CA 94612-0250

EXAMINER

HUYNH, CONG LAC T

ART UNIT	PAPER NUMBER
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2178

DATE MAILED: 01/11/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/475,093

Applicant(s)

HALFANT, MATTHEW D.

Examiner

Cong-Lac Huynh

Art Unit

2178

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 October 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 21-41 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 21-41 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This action is responsive to communications: amendment filed on 10/28/05 to the application filed on 12/30/99.
2. Claims 21-41 are pending in the case. Claims 21, 28, 35 are independent claims.
3. The rejections of claims 21-23, 25-41 under 35 U.S.C. 102(e) as being anticipated by Tillman have been withdrawn in view of the amendment.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 21-41 are rejected under 35 U.S.C. 102(e) as being anticipated by deCarmo et al. (US Pat No 6,415,101, 7/2/02, filed 7/27/98).

Regarding independent claim 21, deCarmo discloses:

- selecting from the original digital video stream, a particular one of the digital video frames for enhancement (col 2, lines 28-67, col 6, lines 43-54: selecting one of multiple views)

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- selecting from the digital video stream, others of the digital video frames associated with the digital video frame to be enhanced (col 2, lines 28-67: selecting additional views)
- enhancing the selected video frame based upon information included in the other digital video frames and the particular digital video frame (col 2, lines 28-67: modifying the selected view for enhancing the view with different angles)

Regarding claim 22, which is dependent on claim 21, deCarmo discloses:

- obtaining movement information for the selected digital video frame and the other digital video frames (col 2, lines 28-67: the angle block supplied on DVD content is movement information for the selected view)

Regarding claim 23, which is dependent on claim 22, deCarmo discloses:

- identifying portions of the associated digital video frames corresponding to the portion to be enhanced (col 7, lines 31-60)
- enhancing the selected video segment by providing a higher quality image with the larger image (col 7, line 61 to col 8, line 23: resizing the view to provide large image)

Regarding claim 24, which is dependent on claim 23, deCarmo discloses:

- enhancing different segments of the video content (col 7, line 61 to col 8, line 23)

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- selecting another of the stream of digital video frames for enhancement when the enhancement is complete (col 8, lines 24-42)
- continuing the selecting until all of the selected digital video frames, or portions thereof, have been enhanced (figure 7, col 8, lines 43-67)

Regarding claim 25, which is dependent on claim 24, deCarmo discloses manipulating selected ones of the enhanced digital video frames (col 7, line 61 to col 8, line 23).

Regarding claim 26, which is dependent on claim 22, deCarmo discloses manipulating is selected from a group comprising: a zoom operation, a contrast enhancement operation, a luminance control operation, a color adjustment operation, a gamma correction operation, an image sharpening operation, and a color saturation operation (col 7, line 61 to col 8, line 23: manipulating by resizing inherently includes the zoom operation).

Regarding claim 27, which is dependent on claim 26, deCarmo discloses that the method is executed by a processor unit included in a digital video disc (DVD) player (col 2, lines 27-32, col 6, lines 43-48).

Claims 28-30, 32-34 are for a computer program product of method claims 21-23, 25-27, and are rejected under the same rationale.

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Claims 31 and 38 are for a computer program product and an apparatus of method claims 21-23, 25-27, and are rejected under the same rationale.

Claims 35-37, 39-41 are for an apparatus of method claims 21-23, 25-27, and are rejected under the same rationale.

Response to Arguments

6. Applicant's arguments with respect to claims 21-41 have been considered but are moot in view of the new ground(s) of rejection.

Applicants argue that the claims, as amended, require a single layer digital video stream, which is not disclosed by Tillman" (Remarks, page 9).

Examiner agrees.

Tilman is withdrawn from the rejection.

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Balram et al. (US Pat No. 6,034,733, 3/7/00, filed 7/29/98).

Honey et al. (US Pat No. 6,141,060, 10/31/00, filed 3/5/99).

Cubillo et al. (US Pat No. 6,141,017, 10/31/00, filed 1/23/98).

Guedalia et al. (US Pat No. 6,721,952, 4/13/04, filed 3/7/97).

Adams et al. (US Pat App Pub No. 2002/0136540, 9/26/02, priority 10/2/98).

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cong-Lac Huynh whose telephone number is 571-272-4125. The examiner can normally be reached on Mon-Fri (8:30-6:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen Hong can be reached on 571-272-4124. The fax phone number for the organization where this application or proceeding is assigned is 571-273-4125.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Cong-Lac Huynh
Primary Examiner
Art Unit 2178
01/06/06